UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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SNELL & WILMER L.L.P.
One Arizona Center
400 East Van Buren
Phoenix, AZ 85004-0001

EXAMINER
BARQADLE, YASIN M

ART UNIT	PAPER NUMBER
2153	

DATE MAILED: 04/07/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>21 January 2004</u>.

2a)☒ This action is **FINAL.** 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle,* 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-48</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-48</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>9</u>.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

Response to Amendment

1.   Applicant's arguments filed on January 21, 2004 have been
fully considered but they are not persuasive.

 • Claims 1-48 are presented for examination.

2.   In response to applicant's argument on page 13 that ``
Lewis's reference does not even mention financial service''
paragraph 3, and that `` Lewis system is limited to financial
transactions and data reporting, and no mention of financial
services''. Examiner contends that these arguments are not
persuasive. Lewis teaches a database that is configured to
contain data and information needed to support a full spectrum of
financial services provided by financial services firms, e.g.,
brokers and dealers, banks and trusts, insurance companies,
investment management and mutual fund companies, custodians and
depositories, and the like, around the world (col. 11, lines 50-
67.see also col. 4, lines 50-67). Lewis's invention is about data
processing system for financial management. More particularly it
is about a data processing system that provides substantial
throughput for real time standardization, aggregations
derivation, consolidation, integration, structuring, storage and
distribution of financial data obtained from disparate sources
(col. 1, lines 6-14).

Applicant argues that Lewis's financial transaction is limited to

contrary Lewis's financial transaction include data records from

plural disparate systems and data sources relating to financial

transactions, financial instruments, customers, counterparties,

employees, organizational units, and financial institutions; and

derives information from the data; consolidates and integrates

the data and information on a database that is defined according

to a comprehensive financial industry data model; distributes the

data and information electronically and automatically publishes

the data and information to subscribers; and provides access to

this data and information for real-time inquiry by various

functional areas and customers of a financial services enterprise

(col. 4, lines 50-67. see also Figs. 10-12)

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs

of 35 U.S.C. 102 that form the basis for the rejections under

The changes made to 35 U.S.C. 102(e) by the American

Inventors Protection Act of 1999 (AIPA) and the Intellectual

Property and High Technology Technical Amendments Act of 2002 do

not apply when the reference is a U.S. patent resulting directly

or indirectly from an international application filed before

November 29, 2000. Therefore, the prior art date of the reference

is determined under 35 U.S.C. 102(e) prior to the amendment by

the AIPA (pre-AIPA 35 U.S.C. 102(e)).

3.   Claims 1-48 are rejected under 35 U.S.C. 102(e) as being

anticipated by Lewis USPN. (6513019).

As per claim 1, Lewis teaches a method of creating financial

advice applications, comprising

    establishing a connection to a client computer (fig. 4, 140)

having an application program (col 10, lines 21-33) comprising at

transmitting said request for financial services data to at least one financial service [col. 4, lines 50-67 and col.10, lines 55 to col. 11 line 55];

receiving and compiling said financial services data from said at least one financial service [fig, 4, database 130 contains compiles financial service data col. 4, lines 50-67 nd col.11, lines 50 to col. 12 line 4; and

transmitting a result of compiling said financial services data to said client computer [col.4, lines 50 to col. 5, line 12; col. 19, lines 19-65].

As per claim 2, Lewis teaches the method of claim 1, wherein establishing a connection to at least one financial service and transmitting said request for financial services data to at least one financial service comprises:

establishing a connection to an application services manager [col. 6, lines 61 to col. 7, line 30; see also col. 21, lines 16-29];

transmitting a request to said application services manager for said financial services data [col. 6, line 7-60; col. 20, lines 1-55]; and

establishing a connection between said application services manager and at least one financial service [fig. 4 and col.4, lines 50 to col. 5, line 12 and col. 6, line 7-60]; and

wherein receiving and compiling said financial services data from said at least one financial service comprises r   i and

compiling said financial services data from said application services manager [fig, 4, database 130 contains financial service data col.4, lines 50 to col. 5, line 12; col. 19, lines 19-65].

As per claim 3, Lewis teaches the method of claim 1, further comprising communicating with an authentication server and authenticating a user of said client computer [col. 19, lines 22-36, see also col. 21, lines 16-29].

As per claim 4, Lewis teaches the method of claim 1, wherein said at least one financial service includes at least one of a leased storage service, a formatting service, a library service, a repository service, a simulator service, an asset allocation service, a business graphics service, a roadmap service, and an equity evaluation service [see Figs. 1 and 4; col.4, lines 50 to col. 5, line 48 and col.11, lines 50 to col. 12, line 15].

As per claim 5, Lewis teaches the method of claim 2, further comprising formatting data transmitted between any of said application program, said application services manager, and said at least one financial service in a standardized data format [col. 9, lines 33-51 and col. 10, lines 50-54].

As per claim 6, Lewis teaches the method of claim 5, wherein said standardized data format is XML [col. 6, lines 1-6 and col. 9, lines 37-51].

As per claim 7, Lewis teaches the method of claim 2, further comprising formatting data transmitted between a plurality of financial services in a standardized data format [col. 9, lines 33-51 and col. 10, lines 50-54].

As per claim 8, Lewis teaches the method of claim 7, wherein said standardized data format is XML [col. 6, lines 1-6 and col. 9, lines 37-51].

As per claim 9, Lewis teaches the method of claim 1, further comprising scripting requests from said client computer such that a single request creates a financial advice application including data from a plurality of financial services [col. 65 lines 27-55].

As per claim 10, Lewis teaches the method of claim 1, further comprising communicating with a registration application configured to allocate a TCP/IP port for use by a financial service during a client session [col. 19, lines 27 to col. 20, line 23 and col. 21, lines 16-23].

As per claim 11 and 40, Lewis teaches a system and a method for creating financial advice applications, comprising:

at least one client computer (fig. 4, 140) having an application program implemented thereon (col. 9, lines 8-50 and col.10, lines 21-33);

an advice utility server in communication with said at least one client computer and said at least one application program [fig. 4, information servers 110, 111 or 112, col. 10, lines 50 to col. 11, line 24]; and

at least one financial service in communication with said advice utility server, wherein each financial service is configured to receive data from said advice utility server and to transmit data to said advice utility server [fig. 4 and col. 10, lines 50 to col. 11, line 55 and col. 6, lines 47-64].

As per claim 12 and 41, Lewis teaches the invention, further comprising an authentication server in communication with said advice utility server, wherein said authentication server is configured to authenticate a user of a client computer [col. 19, lines 22-36, see also col. 21, lines 16-29].

As per claim 13 and 42, Lewis teaches the invention, further comprising a data migration mechanism in communication with said advice utility server, wherein said data migration mechanism is configured to convert data transmissions between any of a client computer, said advice utility server, and a financial service

into a standardized data format [col. 9, lines 33-51 and col. 10, lines 50-54].

As per claims 14 and 43,   Lewis teaches the invention, wherein said standardized data format is XML [col. 6, lines 1-6 and col. 9, lines 37-51].

As per claim 15, Lewis teaches the invention, further comprising a translator in communication with said advice utility server, wherein said translator is configured to translate data transmissions between a plurality of financial services into a standardized data format [col. 9, lines 33-51 and col. 10, lines 50-54].

As per claim 16, Lewis teaches the invention, wherein said standardized data format is XML [col. 6, lines 1-6 and col. 9, lines 37-51].

As per claim 17, Lewis teaches the invention, wherein said advice utility server is configured to script requests from said application program such that a single request creates a financial advice application including data from a plurality of financial services [col. 65 lines 27-55].

As per claim 18, Lewis teaches the invention, further comprising a registration application in communication with said advice utility server and said at least one financial service, wherein said registration application is configured to allocate a TCP/IP port for use by a financial service during a client session [col. 19, lines 27 to col. 20, line 23 and col. 21, lines 16-23].

As per claim 19 and 44, Lewis teaches the invention, wherein said at least one financial service includes at least one of a leased storage service, a formatting service, a library service, a repository service, a simulator service, an asset allocation service, a business graphics service, a roadmap service, and an equity evaluation service [see Figs. 1 and 4; col.4, lines 50 to col. 5, line 48].

As per claim 20 and 45, Lewis teaches the invention, wherein said advice utility server comprises an application services manager configured to communicate with said at least one client computer and said at least one financial service [col. 6, lines 61 to col. 7, line 30; see also col. 21, lines 16-29].

As per claim 21 and 31 and 46, these are computer readable, device and method claims with similar limitations as claim 1 above, therefore, they are rejected with the same rationale.

As per claim 22 and 32, these claims have similar limitations as claim 2. Therefore, they are rejected with the same rationale. See the rejection on claim 2 above.

As per claim 23 and 33, Lewis teaches the invention, further comprising processing instructions configured to direct a computer to perform the step of authenticating a user of said client computer [col. 19, lines 22-36, see also col. 21, lines 16-29].

As per claim 24 and 34, Lewis teaches the invention, wherein said at least one financial service includes at least one of a leased storage service, a formatting service, a library service, a repository service, a simulator service, an asset allocation service, a business graphics service, a roadmap service, and an equity evaluation service [see Figs. 1 and 4; col.4, lines 50 to col. 5, line 48].

As per claim 25 and 35, Lewis teaches the invention, further comprising processing instructions configured to direct a computer to perform the step of formatting data transmitted between any of said client computer, said advice utility server, and said at least one financial service in a standardized data format [col. 6, lines 61 to col. 7, line 30; see also col. 21, lines 16-29].

As per claim 26 and 36, Lewis teaches the invention, wherein said standardized data format is XML [col. 6, lines 1-6 and col. 9, lines 37-51].

As per claim 27 and 37, Lewis teaches the invention, further comprising processing instructions configured to direct a computer to perform the step of formatting data transmitted between a plurality of financial services in a standardized data format [col. 9, lines 33-51 and col. 10, lines 50-54].

As per claim 28 and 38, Lewis teaches the invention, wherein said standardized data format is XML [col. 6, lines 1-6 and col. 9, lines 37-51].

As per claim 29 and 39, Lewis teaches the invention, further comprising processing instructions configured to direct a computer to perform the step of allocating a TCP/IP port for use by a financial service during a client session [col. 19, lines 27 to col. 20, line 23 and col. 21, lines 16-23].

As per claim 30, Lewis teaches the invention, further comprising processing instructions configured to direct a computer to perform the step of scripting requests from said application program such that a single request creates a financial advice

application including data from a plurality of financial services
[col. 65 lines 27-55].

As per claim 47, Lewis teaches the invention, wherein said
user-supplied data comprises at least one of economic group data
and goals [col. 19, lines 12-64].

As per claim 48, Lewis teaches the invention, wherein said
economic group data comprises at least one of membership data,
demographics data, and financial data [see figs. 24-29 and col.
19, lines 12-64].

Conclusion

4.   **ACTION IS MADE FINAL.** See MPEP § 706.07(a). Applicant is
reminded of the extension of time policy as set forth in 37
CFR 1.136(a).

A shortened statutory period for reply to this final action
is set to expire THREE MONTHS from the mailing date of this
action. In the event a first reply is filed within TWO MONTHS of
the mailing date of this final action and the advisory action is
not mailed until after the end of the THREE-MONTH shortened
statutory period, then the shortened statutory period will expire
on the date the advisory action is mailed, and any extension fee
pursuant to 37 CFR 1.136(a) will be calculated from the mailing
date of the advisory action. In no event, however, will the

statutory period for reply expire later than SIX MONTHS from the date of this final action.

The prior made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yasin Barqadle whose telephone number is 703-305-5971. The examiner can normally be reached on 9:00 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenn Burgess can be reached on 703-305-9717. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9306 for regular communications and 703-746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Yasin Barqadle

GLENTON B. BURGESS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100